374

1951. **File No.** L.C. 77/46

P.W **DEPARTMENT**

**C CLASS** A **BRANCH** (1)

**Subject:—** Preferential Treatment in Civil Laws to Govt & Individuals information in conn. with —
[Q. No. 116367. Shri D.C. Modi]...

C [K] - 1951

**File No.** L.C. 77/46 — A (1)

Ftd. Scott. Slip. 34 A

Std. Sectt. 78 e.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

# DOCKET SHEET

*Subject :—*

File No. L.C. 77/46

P.W DEPT.

A BRANCH. (1)

*References :—*

Original file sent to Maharashtra.

| Date. | To whom sent. | Notes and instructions. |
|---|---|---|
| | | |

(Copy of question No.1163,proposed to be put in the Legislative Council by Shri O.C.Modi).

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Alleged differential treatment in Civil Laws to Government and Individuals.

* 1163. Shri Ochhaval C. Modi (Cambay Group): will the Honourable Minister for Home and Revenue be pleased to state-

(a) Whether Government is aware that Government is treated on a special footing and a preferential treatment is accorded to it in civil laws such as the Rent Act, the Tenancy Act and other similar enactments;

(b) Whether it is a fact that Government has defended this preferential treatment so far as the Tenancy Act is concerned by stating that the State is expected to be a good landlord and its actions come under the review of Public and the legislature;

(c) What are the reason for reserving to itself and other Government and semi Government Departments preferential treatment so far as the Rent Act is concerned;

(d) Whether Government is aware that such differential treatment in laws between Government and ordinary citizens creats a bad moral impression against Government;

(e) Whether Government is aware that this policy of Government of making differentiation is in contravention of the directive principls of the State policy of the constitution of India;

(f) Whether Government proposes to take steps to bring the provisions of various acts such as Tenancy Act, Rent Ac and others which accord preferential treatment to Government on a par with those of the ordinary citizens of the Indian Union.

(g) If not, will Government be pleased to state the reasons for the same?

N.B. Original Question No.1160 split up into two viz. Question 1160 and 1163 -

(Below copies of Question No. 1163, proposed to be put in the Legislative Council by Shri O.C.Modi).

URGENT.....

URGENT.

No.L.C.162/46-F.

Revenue Department,
Secretariat, Bombay,
13th December 1950.

Forward to all Departments of the Secretariat (except Separate Department) with a request to furnish urgently the requisite information in so far as they concerned.

2. The labour and Housing Department is requested to furnish information with particular reference to the Rent Act, in addition to the information in respect of other Acts administered by that Department.

By order of the Governor of Bombay,

Sd/- 18.12

Assistant Secretary to the Government of Bombay, Revenue Department.

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LETTER

No.L.C.77/46-A(I).

Public Works Department,
Bombay Castle (Bombay No.1)
12th February 1951.

To:

The Assistant Secretary to the Government of Bombay,
Revenue Department.

Subject: Preferential Treatment to Government in certain Acts.

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Reference: Your Endorsement No.L.C.162/46-F, dated 13th December 1950.

2. I am directed to inform you that there are no provisions in any Acts with which this Department is concerned, in which preferential treatment is accorded to Government, except to the extent below. The Rent Act is not applicable to Government residences, though the tenants therein, who are in most cases Government servants, are asked to vacate their premises only when they are required for other Government servants.

By order of the Governor of Bombay,

Sd/- 13-2-51

Assistant Secretary to the Government of Bombay,
Public Works Department.

D.A. Nil.

Paf.